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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

PB Life and Annuity Co. Ltd., *et al.*,

Debtors in Foreign Proceedings.

Chapter 15

Case No. 20-12791 (LGB)
(Jointly Administered)

Universal Life Insurance Co.,

Plaintiff,

v.

Global Growth Holdings, Inc., *et al.*,

Defendants.

Adv. Proc. No. 21-01169

**NOTICE OF MOTION TO DISMISS THE AMENDED COMPLAINT
AGAINST MORGAN STANLEY SENIOR FUNDING, INC.**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Morgan Stanley Senior Funding, Inc.'s Motion to Dismiss (the "Motion"), Defendant Morgan Stanley Senior Funding, Inc. will move for an order dismissing the Amended Complaint filed by Universal Life Insurance Company, Case No. 20-12791 (LGB) (Bankr. S.D.N.Y.) Adv. Proc. No. 21-01169, at 9:30 a.m. Eastern Time on March 17, 2022, before the Honorable Lisa G.

Beckerman, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York. In accordance with the Zoom Procedures provided by the Court, attached hereto as Exhibit A, the Hearing will be conducted by Zoom video (the “Hearing”).

PLEASE TAKE FURTHER NOTICE that the Hearing may be continued or adjourned thereafter from time to time without further notice other than an announcement of the adjourned date or dates at the Hearing.

PLEASE TAKE FURTHER NOTICE that a copy of the Motion may be obtained by visiting the Court’s website at <http://www.nysb.uscourts.gov> in accordance with the procedures and fees set forth therein.

Dated: December 23, 2021

Respectfully submitted,

/s/ Peter Friedman

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Senior Funding, Inc.*

EXHIBIT A

**PROTOCOL FOR JUDGE BECKERMAN'S HEARING BEING HELD BY ZOOM
VIDEO ON MARCH 17, 2022**

This Court will hold a hearing by Zoom video (the "Hearing") for all matters on the docket scheduled to be heard on March 17, 2022 at 10:00 a.m. (ET). Pursuant to Rule 43 of the Federal Rules of Civil Procedure, made applicable here by Rule 9017 of the Federal Rules of Bankruptcy Procedure, the current COVID-19 pandemic provides good cause in compelling circumstances to allow this Hearing to be conducted remotely using audio and video conferencing solutions. Accordingly, pursuant to this Court's General Order M-543 regarding the COVID-19 pandemic, and after due deliberation, this Court adopts the following virtual hearing procedures which provide appropriate safeguards in relation to the Hearing.

PROCEDURES

1. **Audio and Videoconferencing Solutions.** The Hearing shall take place virtually using both audio and videoconferencing solutions as set forth herein. The Court shall utilize Zoom for Government (for audio and video purposes). The Zoom link shall be provided by the Court to the list of persons identified by the parties as Zoom participants in accordance with Section 2 below, and to other attorneys, parties in interest, or members of the public who provide notice to the Court in accordance with Section 3 below.

2. **Prior Notice of Intent to use Zoom.** All attorneys appearing before the Court must register for the Hearing through the Electronic Appearance Portal located on the Court's website (<https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>) by no later than **4:00 p.m. one business day before the Hearing**. The Court will circulate the Zoom link to such persons by email shortly after 4:00 p.m. one business day before the Hearing. Parties will not be admitted to the Hearing if registration is received after 4:00 p.m. one business day before the Hearing. Parties are strictly forbidden from circulating or sharing the Zoom link.

3. **Attendance at the Hearing by Other Attorneys, Parties in Interest, and the Public.** All other attorneys, parties in interest, or members of the public who wish to hear or observe the Hearing must register for the Hearing through the Electronic Appearance Portal located on the Court's website (<https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>) by no later than **4:00 p.m. (ET) one business day before the Hearing**. Parties shall indicate that they are requesting listen-only access when registering their appearance. Failure to register by the

specified deadline will result in the party not being admitted to the Hearing. The Court will circulate by email prior to the Hearing the Zoom link to such persons who wish to hear or observe the Hearing via Zoom. Parties are strictly forbidden from circulating or sharing the Zoom link.

4. **Courtroom Formalities.** Although being conducted using audio and videoconferencing on Zoom, the Hearing constitutes a court proceeding, and any recording other than the official court version is prohibited. No participant or attendee of the Hearing may record images or sounds of the Hearing from any location. All parties appearing before the Court must situate themselves in such a manner as to be able to view the video screen and be seen by the Court. For purposes of this Hearing, the formalities of a courtroom must be observed, except that the Court will permit counsel in this Hearing to be attired in business casual clothing.

5. **Submission of Exhibits to Court.** If any of these parties intend to offer any exhibits at the Hearing, such party shall provide the Court (and file on ECF) a copy of the exhibits it will seek to use during the Hearing (either by offering it in evidence or using it for demonstrative purposes) no later than the deadline set forth in Judge Beckerman's Chambers Rules or the applicable scheduling or pretrial order but in any event at least 24 hours before the Hearing.

6. **Checking in for Hearing.** Because of the Court's security requirements for participating in a Zoom for Government audio and video hearing, all persons seeking to attend the Hearing must connect to the Hearing beginning half an hour prior to the scheduled start of the Hearing. Failure to connect to the Hearing at the indicated time may result in significant delays to the start of the Hearing. When signing into Zoom for Government, participants must type in the first and last name that will be used to identify them at the hearing, and the party they represent (*i.e.*, Jane Doe, Debtor's Counsel). Participants that type in only their first name, a nickname, or initials will not be admitted into the hearing. When seeking to connect for video participation in a Zoom for Government hearing, participants will first enter a waiting room ("Waiting Room") in the order in which the participants seek to connect. Court personnel will admit each person to the Hearing from the Waiting Room after confirming the person's name (and telephone number, if a telephone is used to connect) provided to the Court in accordance

with Sections 2 and 3 above. You may experience a delay in the Waiting Room before you are admitted to the Hearing. Once admitted, please turn off video and mute the microphone on Zoom until the matter is called by the Court.

7. **Retention of Jurisdiction.** The Court retains jurisdiction with respect to all matters arising from or related to these procedures.